UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,576	08/29/2001	Yoshinori Suzuki	HITA.0102	5017

			EXAMINER
38327	7590	08/02/2004	LAMARRE, GUY J

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ART UNIT	PAPER NUMBER
2133	3

DATE MAILED: 08/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _29 August 2001_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-16_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-16_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _29 August 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☒ All　b)☐ Some *　c)☐ None of:

　　　1.☒ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _2_.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1. Applicants' IDS and priority paper of 08/29/2002 have been entered. The Examiner has

considered the IDS.

1.1 Pursuant to 35 USC 131, **Claims 1-16** are presented for examination.

Claim Objections

1.2 **Claim 14** line 5 shall read 'included.' Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.1 **Claims 1-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Yamaguchi et al.** (US Patent No. 5,737,022) and **Toshihisa et al.** 'JP Pub. No. 08-181983; Dec. 7, 1996-IDS.

As per **Claim** 1, **Yamaguchi et al.** substantially all the limitations of the claimed
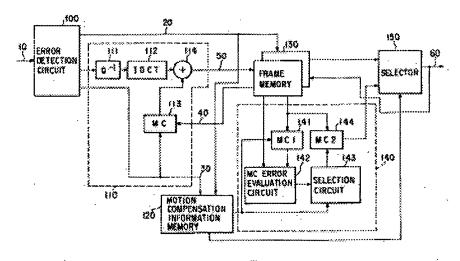
apparatus for system decoder in Fig. 7:

FIG. 7

comprising a packet data processing unit (col. 1 line 20 et seq.) for extracting a payload

from a plurality of inputted packet data, a packet loss detection unit (col. 1 line 20 et seq.) and

Fig. 7: block 100) for detecting sequence number of packet data not arrived yet and of packet

data with transmission error and for outputting a word for error detection instead of payload of

the packet data not arrived yet and of the packet data with transmission error corresponding to

the detected sequence number, and a media data reconstruction (Fig. 7: block 140) unit for

rearranging the payload and the word in such order as to be decoded by an application decoder.

Not specifically described in detail in **Yamaguchi et al.** is the output word being a unique

word. **However Yamaguchi** renders such word undecodable or unique in col. 1 line 52.

Accordingly, Toshihisa et al. discloses an image decoding circuitry in an analogous art, wherein

such techniques are described. {See **Toshihisa et al.,** Id., Abstract.} **Therefore,** it would have

been obvious to a person having ordinary skill in the art at the time the invention was made to

modify the procedure in **Yamaguchi** by including therein *unique word notice* means for packet

portion in error as taught by **Toshihisa et al.,** because such modification would provide the

procedure disclosed in **Yamaguchi** with a technique whereby " *a very simple circuit*

configuration produces excellent image quality despite of existence of erroneous/noisy media

conditions." {See **Toshihisa et al.,** Abstract.}

As per Claim 2. **Toshihisa/Yamaguchi et al.** discloses apparatus for system decoder

according to claim 1, wherein said unique word is a data string not included in the specification

of the application decoder and to be judged as an error by the application decoder in **Toshihisa's**

Abstract and **Yamaguchi's** undecodable or unique word in col. 1 line 52.

As per Claim 3. **Toshihisa et al.** discloses apparatus for system decoder according to

claim 1, wherein said unique word is a data string determined beforehand as a data for error

indication data between the application decoder and the system decoder in Abstract.

As per Claim 4. **Toshihisa et al.** discloses apparatus for system decoder according to claim 1, wherein there is provided an error indication output unit for outputting error indication data of the same size as the media data outputted from said media data reconstruction unit according to of an input from said packet loss detection unit in Abstract.

As per Claim 5. **Toshihisa et al.** discloses apparatus for system decoder according to claim 1, wherein said packet loss detection unit detects payload type of the packet at the same time when detecting sequence number of packet data not arrived yet and of packet data with transmission error and outputs unique word different for each type of media decoder determined by the payload type in Abstract.

As per Claim 6. **Toshihisa et al.** discloses apparatus for system decoder according to claim 1, wherein said packet loss detection unit detects payload type of the packet at the same time when detecting sequence number of packet data not arrived yet and of packet data with transmission error, and said error indication output unit outputs error indication data different for each type of media decoder determined by the payload type in Abstract.

As per Claim 7. **Toshihisa/Yamaguchi et al.** discloses apparatus, as formulated in above rejections of Claims 1-6, for system decoder, comprising: a packet data processing unit for extracting up a payload from a plurality of inputted packet data, a retransmission judgment unit for performing retransmission judgment as to whether packet data not arrived yet and packet data with transmission error are to be retransmitted or not and for outputting result of judgment, a packet loss detection unit for: detecting sequence number of the packet data not arrived yet and of the packet data with transmission error, outputting the sequence number to said retransmission judgment unit, and outputting a unique word for error detection instead of the payload of the packet data not arrived yet and of the packet data with transmission error from the result of judgment of said retransmission judgment unit, and a media data reconstruction unit for

rearranging said payload and said unique word in such order as to be decoded by the application decoder.

As per Claim 8. **Toshihisa/Yamaguchi et al.** discloses apparatus, as formulated in above rejections of Claims 1-6, for system decoder according to claim 7, wherein said retransmission judgment unit judges whether it is necessary or not to retransmit the packet data not arrived yet and the packet data with transmission error by using an information relating the processing status at the application decoder.

As per Claim 9. **Toshihisa/Yamaguchi et al.** discloses apparatus, as formulated in above rejections of Claims 1-6, for system decoder according to claim 7, wherein said retransmission judgment unit judges whether it is necessary or not to retransmit the packet data not arrived yet and the packet data with transmission error based on the importance of the packet data not arrived yet and the packet data with transmission error.

As per Claim 10. **Toshihisa/Yamaguchi et al.** discloses method, as formulated in above rejections of Claims 1-6, for correcting packet data, comprising the steps of: extracting a payload from a plurality of inputted packet data, detecting sequence number of packet data not arrived yet and of packet data with transmission error, outputting a unique word instead of the payload of the packet not arrived yet and of the packet with transmission error, generating a data rearranged said payload and said unique word in such order as to be decoded by the application decoder, detecting the unique word from said rearranged data signal to thereby correct the unique word, and correcting said rearranged data so that compliant to the specification of said application decoder.

As per Claim 11. **Toshihisa/Yamaguchi et al.** discloses equivalent method, as formulated in above rejections of Claims 1-6, for correcting packet data according to claim 10, wherein said correction is performed by correcting means including byte-align processing.

As per Claim 12. **Toshihisa/Yamaguchi et al.** discloses equivalent method, as formulated in above rejections of Claims 1-6, for correcting packet data according to claim 10, wherein processing to change information of coding type contained in data of coding block is included in the correction of data in case said rearranged data is a video data generated by coding algorithm of block unit.

As per Claim 13. **Toshihisa/Yamaguchi et al.** discloses equivalent method, as formulated in above rejections of Claims 1-6 for correcting packet data according to claim 10, wherein processing to change time-stamp information contained in the data of a frame image is included in the correction of data in case said rearranged data is a video data.

As per Claim 14. **Toshihisa/Yamaguchi et al.** discloses equivalent method, as formulated in above rejections of Claims 1-6, for correcting packet data according to claim 10, wherein processing to change coding block to a block with no coding data and to change a flag indicating whether or not there is coding data relating to said block is included in the correction of data in case said rearranged data is a video data generated by coding algorithm of block unit.

As per Claim 15. **Toshihisa/Yamaguchi et al.** discloses equivalent method, as formulated in above rejections of Claims 1-6, for correcting packet data according to claim 10, wherein processing to change block position information contained in a header part of video packet is included in the correction of data in case said rearranged data is a video data generated by coding algorithm of block unit to handle a plurality of coding blocks as a video packet.

As per Claim 16. **Toshihisa/Yamaguchi et al.** discloses equivalent method , as formulated in above rejections of Claims 1-6, for correcting packet data according to claim 10, wherein processing to change number of coding blocks to be processed in the video packet is included in the correction of data in case said rearranged data is a video data generated by coding algorithm of block unit to handle a plurality of coding block as a video packet.

Conclusion

3.   Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington, D.C. 20231

or faxed to: (703) 872-9306 for all formal communications.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,

Arlington, VA, <u>Fourth Floor</u> (Receptionist).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Guy J. Lamarre, P.E., whose telephone number is (703) 305-

0755. The examiner can normally be reached on Monday to Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Albert De Cady, can be reached at (703) 305-9595.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may also be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Guy J. Lamarre, P.E
Primary Examiner
7/26/04